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The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations Office in Geneva and other International Organizations in Switzerland presents its compliments to the Special Procedures Branch of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and has the honour to refer to the latter's Note Verbale No. AL LKA 5/2021 dated 17 November 2021 forwarding a joint communication from three UN Special Procedures Mandate Holders.

The Permanent Mission wishes to transmit herewith the comments of the Government of Sri Lanka on the above joint communication.

The Permanent Mission requests that the attached GoSL comments be published along with the joint communication of the Special Procedures, when the Special Procedures Branch proceeds with such publication on the communications reporting website, as well as in any other report that would contain the joint communication.

An acknowledgement of receipt of this note and the attached comments would also be appreciated.

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations Office in Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Special Procedures Branch of the Office of the United Nations High Commissioner for Human Rights (OHCHR), the assurances of its highest consideration.



Special Procedures Branch  
Office of the United Nations High Commissioner for Human Rights  
Geneva

**Government of Sri Lanka response to the Joint Communication received from three UN Special Procedures Mandate Holders concerning the alleged acts of harassment and reprisals for cooperation with the UN against human rights defender Ms. Sandya Eknaligoda (AL/LKA 5/2021)**

With reference to the Joint Communication (AL/LKA 5/2021) dated 17 November 2021, submitted by three Special Procedures Mandate Holders, seeking clarifications and information concerning the alleged acts of harassment and reprisals for cooperation with the UN against human rights defender Ms. Sandya Eknaligoda, the Government of Sri Lanka (GoSL) wishes to make the following observations:

General comments

- a. With regard to the alleged disappearance of Mr. Prageeth Eknaligoda (the husband of Ms. Sandya Eknaligoda), the following cases are ongoing in Sri Lanka Courts :
  - i. Seven persons have been arrested including the members of Sri Lanka Army and they have been charged under Homagama High Court Case No: 209/2019. The case is scheduled to be called on 09.02.2022.
  - ii. 09 members of Sri Lanka Army were arrested, and indictments have been filed for the alleged abduction on 24.01.2010. The case is before a trial at bar under Colombo High Court No. 725/19 and **the next date is 22.02.2021**
- b. With regard to Ms. Eknaligoda's engagement with the Office on Missing Persons (OMP), the following may be noted:
  - i. Ms. Sandya Eknaligoda visited and met the Chairperson and Commissioners of the Office on Missing Persons (OMP) in 2018 and 2019. Upon instructions given to the complainer to register the case in the database of the OMP, the complaint was lodged on 27 December 2019. Accordingly, the OMP registered this complaint under the file no. OMP/COL/ 044 and acknowledged the same on 20 February 2020. After the verification process it had been revealed that the given information was insufficient to draw a conclusion.
  - ii. By letter 04.08.2021 dated Ms. Eknaligoda was only invited to share voluntarily any documents she may have shared with other bodies such as the WGEID and at no point was she intimidated or coerced

into sharing information. The objective of the request was to obtain more information with a view to investigating the complaint.

- iii. According to OMP, there has been no response from the complainer to the letter dated 04.08.2021. Therefore due to lack of clarity and insufficiency of the facts, OMP notified the complainer regarding this and is awaiting for a response.
- iv. It may be noted that the Office on Missing Persons (OMP) is in the process of verifying the figures of the missing. The objective is to conclude the verifying process as soon as possible.
- c. New Commissioners were appointed to the OMP in December 2021. Mr. Mahesh Katulanda is the new chairman. Other Commissioners appointed are Mr. Shiraz Noordeen, Justice (Rtd) Thassim and Mr. Chandra Fernando.
- d. Re. Buddhist monk Galaboda Aththe Gnanasara Thero it is hereby clarified that by extraordinary Gazette dated 06.11.2021 the One Country One Law Presidential Task Force has been mandated 'to present proposals for formulating a conceptual framework ideally suited for Sri Lanka after making a study of the said concept taking into account the views and opinions held by various parties with regard to the implementation of the concept "one country one law". Extraordinary Gazette dated 26.10.2021 setting up the One Country One Law Task Force stands amended.